

United States District Court District of Massachusetts

UNITED STATES OF AMERICA,

v.

CRIMINAL NO. 2005-10115-JLT

JOSE MORALES

a/k/a "Melvin", a/k/a "Gordo"

LUIS MORALES

a/k/a "Gallito"

WILFREDO OFARRILL

a/k/a "Jose Luis Figueroa-Ramos,"

a/k/a "Nelson," a/k/a "Sonny"

DIXON PEREZ

a/k/a "Nelson," a/k/a "Mario"

JOSE NICHOLSON

a/k/a "Jaiba"

ROBERT MEDEIROS

a/k/a "Bobby"

MIGUEL CASADO

a/k/a "Chulo"

HERMAN M. MELO, JR.

BRIAN P. KEENAN

DAVID R. ROSONINA

WILFREDO TORRES

a/k/a "Willow"

LUIS SOUCLAT

a/k/a "Jaunito"

WILFREDO BATISTA

a/k/a "Rafael Acevedo"

a/k/a "Vinicio"

a/k/a "Teodoro Andujar"

Defendants.

***ORDER AFTER
FINAL STATUS CONFERENCE
PURSUANT TO LOCAL RULE 116.5(C)***

COLLINGS, U.S.M.J.

A Final Status Conference was held on November 22, 2005. Counsel for defendants Medeiros (Barry Wilson, Esq.), David Rosinina (Walter Faria, Esq.) and Luis Souclat (Philip Coppola, Esq.) did not appear.

The within Order is prepared pursuant to Local Rule 116.5(D). Using the numeration of matters listed in Local Rule 116.5(C), I report as follows:

- (1) No.
- (2) No.
- (3) No.
- (4) The defendants have not responded to the government's request for notice of alibi.
- (5) All non-discovery type motions shall be filed and served ***on or before the close of business on Tuesday, January 31, 2006***; the Government shall file responses/oppositions ***on or before the close of business on Tuesday, February 21, 2006***.
- (6) No.

- (7) Defendant Perez has requested that the Court schedule a Rule 11 hearing (*see* 122). A trial will probably not be necessary as to defendant Morales; it is unknown whether a trial will be necessary as to the other defendants.
- (8) *See* Further Order of Excludable Delay entered this date. ***An Initial Pretrial Conference should be set as soon as possible after February 21, 2006.***
- (9) Four to six weeks.

Using the numeration of matters listed in Local Rule 116.5(D), I report as follows:

- (1) Yes.
- (2) Yes; no reason for the case to remain with the magistrate judge.
- (3) *See* ¶ (5), *supra*.
- (4) *See* ¶ (8), *supra*.
- (5) Four to six weeks.
- (6) No.

I RECOMMEND that the Court set the case down for an Initial Pretrial Conference pursuant to Local Rule 117.1 to set a firm trial date ***as soon as possible after February 21, 2006.***

THE FILE IS RETURNED TO THE CLERK'S OFFICE WITH INSTRUCTIONS TO BRING THE CASE TO THE IMMEDIATE ATTENTION OF THE

COURTROOM DEPUTY CLERK ASSIGNED TO JUDGE TAURO'S SESSION.

The Clerk shall enter on the docket the fact that the case "is no longer referred to Magistrate Judge Collings."

/s/ Robert B. Collings

ROBERT B. COLLINGS
United States Magistrate Judge

January 19, 2006.